

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
April 12, 2022

Name of Offender: **Johnny Tovar**

Case Number: **2:16CR00291**

Name of Sentencing Judicial Officer: **Honorable Gloria M. Navarro**

Date of Original Sentence: **October 18, 2019**

Original Offense: **Conspiracy to Distribute Heroin**

Original Sentence: **30 Months prison, followed by 24 Months TSR.**

Date Supervision Commenced: **January 12, 2022**

Name of Assigned Judicial Officer: **Honorable Gloria M. Navarro**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

1. **Community Service** – You must complete 16 hours of community service within two (2) months. The probation officer will supervise the participation in the program by approving the program (agency, location, frequency of participation, etc.). You must provide written verification of completed hours to the probation officer.

CAUSE

On October 18, 2019, Johnny Tovar appeared before The Honorable Gloria M. Navarro, United States District Judge in the District of Nevada. Tovar was sentenced to 30 months of imprisonment with two (2) years of supervised release to follow for the offense of Conspiracy to Distribute Heroin. Johnny Tovar commenced supervision in the District of Nevada on January 12, 2022.

As a condition of supervised release, Tovar is required to notify the probation office within 72 hours of law enforcement contact. On April 7, 2022, the undersigned received notification that

RE: Johnny Tovar

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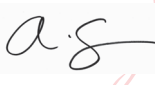
Tovar was cited in Page, Arizona for speeding. A subsequent condition requires Tovar to not leave the federal judicial district where you authorized to reside without first getting permission. Tovar knowingly traveled outside of his federal judicial district without obtaining permission from our office.

On April 11, 2022, the undersigned reached out to Tovar to request an office visit to address the above-mentioned violations. Tovar obliged and on April 12, 2022, he reported to our office. Tovar admitted to traveling to Arizona for work for the day to help transport an RV. Tovar was returning to the District of Nevada when he was pulled over and cited for speeding. Tovar admitted to not informing probation of the contact made with law enforcement a week prior and apologized for his actions.

Although Tovar violated the standard conditions of his supervision, Tovar took full responsibility for his actions and apologized without hesitation. Given the unauthorized travel, and failure to report contact with law enforcement within 72 hours, the behavior can quickly become habitual if not sanctioned appropriately. Due to non-compliance, the undersigned officer is requesting Tovar's special conditions be modified to include 16 hours of community service to be completed in the next two (2) months. Tovar agrees with the proposed modification as witnessed by his signature on the attached Waiver of Hearing to Modify Conditions of Supervision.

Our office will continue to monitor the status of Tovar's progress. Should the Court have any questions or concerns regarding this matter, the undersigned can be reach at (702) 527-7281.

Respectfully submitted,

 Digitally signed by
Amanda Stevens
Date: 2022.04.13
12:49:09 -07'00'

Amanda Stevens
United States Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2022.04.13 11:08:32
-07'00'

Todd J. Fredlund
Supervisory United States Probation Officer

RE: Johnny Tovar

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THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



Signature of Judicial Officer

April 18, 2022

Date

UNITED STATES DISTRICT COURT

District of Nevada

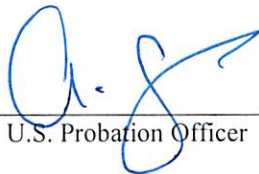
Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

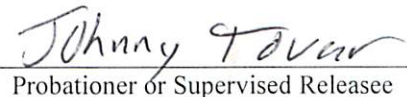
Community Service – You must complete 16 hours of community service within two (2) months. The probation officer will supervise the participation in the program by approving the program (agency, location, frequency of participation, etc.). You must provide written verification of completed hours to the probation officer.

Witness



U.S. Probation Officer

Signed



Probationer or Supervised Releasee

04-12-2022

Date